

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID HOLMES,

Plaintiff,

vs.

JASON REUSCH *et al.*,

Defendants.

Case No.: 2:24-cv-01138-GMN-BNW

ORDER ADOPTING R&R

Pending before the Court is the Report and Recommendation (R&R), (ECF No. 5), of United States Magistrate Judge Brenda Weksler, which recommends the Court dismiss with prejudice Plaintiff's claims arising under 18 U.S.C. § 4, 18 U.S.C. § 241, 18 U.S.C. § 242, and 42 U.S.C. § 1983 Eighth Amendment.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections to the R&R were filed, and the deadline to do so has passed. (*See* Min. Order, ECF No. 5) (setting August 1, 2024, deadline for objections). The Court therefore

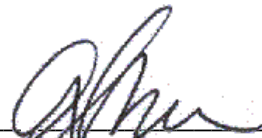
1 ADOPTS the R&R in full.

2 Accordingly,

3 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 5), is
4 **ADOPTED in full.**

5 **IT IS FURTHER ORDERED** that the following claims are **DISMISSED with**
6 **prejudice:** 18 U.S.C. § 4, 18 U.S.C. § 241, 18 U.S.C. § 242, and 42 U.S.C. § 1983 Eighth
7 Amendment.

8 Dated this 14 day of August, 2024.

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11 _____
12 Gloria M. Navarro, District Judge
13 United States District Court
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